

**From:** Robert Shuler  
**To:** Microsoft ATR  
**Date:** 11/16/01 9:39pm  
**Subject:** Microsoft Settlement

Dear Sirs:

I read that you are soliciting input. I have run a small software business, <http://mc1soft.com>, since about 1994. And yes I have been impacted unfavorably by Microsoft. And no, I don't see anything in the settlement that will help with the problem.

The most pressing concern at present is new technology I'm developing which could eventually make PC based business applications nearly obsolete. I am hesitating and delaying this technology, and may eventually decide not to market it at all, simply because I feel that Microsoft will take the idea and give it away free until I am out of business, just like they did with Netscape. I'm not aware of any language in the settlement that prevents them from repeating this atrocity. Is there? If not, then it is not practical for me to invest in technology they are likely to confiscate in their usual fashion, by incorporating free versions of it into their other products or services.

That is not the only example of how the mere fact of Microsoft's typical behavior suppresses innovation. In each of their last several OS releases, they have introduced subtle incompatibilities that cause me to have to spend time re-engineering old applications instead of developing new ones.

Speaking as a consumer of computers and software, I have lost many old applications to Microsoft's creeping incompatibility. So have many of my associates. I would gladly purchase a version of their OS, or anyone else's, which was compatible with my old apps, and supported modern hardware. But they have chosen not to market it, all compatible competitors have gone out of the business, and there is no practical choice. Oh, sure, I can buy an Apple, but it's not compatible with anything. Neither is Linux. There used to be compatible DOS's and even compatible gui-based OS's, such as OS2, but they have all succumbed to Microsoft's anticompetitive practices. Consider the many variations of UNIX that are available, all compatible to varying degrees. This is the normal free market state of affairs.

Tell me, how is the settlement going to change any of this?

It is not. The settlement appears only to pander to a couple of players, such as AOL, making it easier for them to offer certain very limited products. It does not address root issues. I don't use AOL (or MSN) and don't use my computer to listen to music (neither does anyone I know). No small businesses or business consumers care about anything in the settlement as far as I can tell.

Feel free to contact me for additional information.

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